In The High Court of Judicature at Madras

Dated 7.9.06

Coram

THE HONOURABLE MR. JUSTICE P. JYOTHIMANI

W.P.No.31425/2006

Chandra Sekaran .. Petitioner

Vs

The Collector,
Thiruvallur District,
Thiruvallur. .. Respondent

Petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the the respondent to regularise the suspension period from 2.3.1993 to 26.4.1993 and consequently to sanction the yearly increments.

For Petitioner : MR.R.Sampathkumar
For Respondent : Mr.A.Edwin Prabhakar, GA

ORDER

The writ petition is filed for a direction against the respondent to regularise the service of the petitioner during the period of suspension from 2.3.1993 to 26.4.1993.

2.According to the petitioner, that was a period when a criminal case was pending and in fact the criminal case has ended in acquittal and even the appeal filed by the State has also been dismissed. In view of the same, the petitioner has made many representations from 2003 onwards including 20.3.2004, 14.4.2004, 23.5.2005 and 10.2.2006. In spite of the repeated representations, the respondent has not passed any order. Hence, the present writ petition.

3.I have heard the learned counsel for the petitioner and the learned Government Advocate taking notice on behalf of the respondent.

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4.The writ petition is disposed of with the following direction:

"Considering the limited scope of the prayer and especially in the circumstances that the period of suspension has to be regularised for the reason that the criminal case as stated above has ended in acquittal and the appeal preferred by the State was also dismissed, I do not feel there will be any difficulty on the part of the respondent in passing final orders. The respondent is directed to consider the above said representations including the latest representation dated 10.2.2006, taking into consideration of the fact that the petitioner has been acquitted in the criminal case and pass appropriate orders for regularising the service of the petitioner for the period of suspension between 2.3.1993 to 26.4.1993 and also to pay all consequential monetary benefits to the petitioner within a period of four weeks from the date of receipt of a copy of this order."

No costs.

Sd/
Asst.Registrar

/true copy/

Sub Asst.Registrar

ap

To

The Collector,
Thiruvallur District,
Thiruvallur.

1 cc To Mr.R.Sampath Kumar, Advocate, SR.41143.

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SMV(CO)
RVL 14.09.2006

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